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09/802,452	03/09/2001	Brian R. Cox	NAIIP136/00.120.01	8423

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EXAMINER

CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 06/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.

09/802,452

Applicant(s)

COX ET AL.

Examiner

Dohm Chankong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2002.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-38 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date #4, 6/21/01.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

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### DETAILED ACTION

1. Claims 1-38 are presented for examination.

#### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. The following claims lack proper antecedent basis:

- i. Claim 12, line 9: "the computer system".

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-7, 10, 11, 14, 17-19, 21-24, 26, 29, 32, 34, 35 and 37 are rejected under 35 U.S.C. 102(b) as being unpatentable over Hawkins et al (hereinafter Hawkins), U.S. Patent No. 6,006,274.

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5. As to claim 1, Hawkins teaches a method for maintaining handheld computers at a location remote from a home maintenance node containing a maintenance database for at least one of the handheld computers and connected to the remote location through a network (abstract and Figure 4), the method comprising:

connecting of the handheld computers to a maintenance node (column 5, lines 59-65 where personal computer 110 is the maintenance node);

detecting whether the maintenance node is the home maintenance node for the handheld computer (claim 6);

locating the home maintenance node for the handheld computer if the connected maintenance node is not the home maintenance node (column 5, line 66 to column 6, lines 12);

opening a maintenance session between the handheld computer and the home maintenance node (column 6, lines 2-7); and

performing maintenance on the handheld computer (column 6, lines 2-7).

6. As to claim 2, Hawkins teaches a method wherein there is a one-to-one relationship between the handheld computers and the maintenance nodes such that each of the maintenance nodes represent the home maintenance node for only one handheld computer (column 5, lines 58-59 whereby each user having his own personal computer signifies the one-to-one relationship between the user's handheld and the user's personal computer).

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7. As to claim 3, Hawkins teaches a method wherein a central maintenance node is the home maintenance node for all of the handheld computers (column 2, lines 1-3).
8. As to claim 4, Hawkins teaches a method wherein connecting the handheld computer to the maintenance node comprises connecting a serial line between the handheld computer and a personal computer (Figure 4).
9. As to claim 5, Hawkins teaches a method wherein connecting a serial line comprises placing the handheld computer in a cradle connected to the serial line (Figure 4).
10. As to claim 6, Hawkins teaches a method wherein detecting whether the maintenance node is the home maintenance node comprises comparing an identifier for the handheld computer with an identifier stored in a maintenance database of the home maintenance node (column 5, line 49 to column 6, line 12 and claim 6).
11. As to claim 7, Hawkins teaches a method wherein locating the home maintenance node for the handheld computer comprises connecting to network coupled to a plurality of home maintenance nodes (column 5, lines 25-52 and column 7, lines 56-63).
12. As to claim 10, Hawkins teaches a method wherein opening a maintenance session between the handheld computer and the home maintenance node comprises running a

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maintenance manager stored on the home maintenance node (Figure 4, item 461 and column 9, lines 13-15).

13. As to claim 11, Hawkins teaches a method wherein performing maintenance on the handheld computer comprises synchronizing data stored on the handheld computer with data stored on a maintenance database located in the home maintenance node (abstract).

14. As to claim 14, Hawkins teaches a method wherein performing maintenance on the handheld computer comprises running diagnostics on the handheld computer (column 4, line 43 to column 5, line 22).

15. As to claim 17, Hawkins teaches a system for maintaining a plurality of handheld computers configured for connection to a network having a plurality of maintenance nodes coupled thereto, each of said plurality of handheld computers having a home maintenance node (abstract, Figure 1, and column 5, lines 58-59), the system comprising:

for each handheld computer, a maintenance database stored on the home maintenance node and associated with the handheld computer (Figure 4, item 463 and column 9, lines 29-31); and

a maintenance manager installed on each of the maintenance nodes and operable to detect whether the maintenance node is the home maintenance node for the handheld computer connected to the maintenance node, locate the home maintenance node for the handheld computer if the maintenance node is not the home maintenance node, open a

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maintenance session across the network between the located home maintenance node and the connected handheld computer, and perform a maintenance operation using the maintenance database stored on the home maintenance node (Figure 4, items 421, 450 and column 5, line 49 to column 6, line 12 and column 7, line 56 to column 8, line 32).

16. As to claim 18, Hawkins teaches a system wherein there is a one-to-one relationship between the handheld computers and the maintenance nodes such that each of the maintenance nodes represent the home maintenance node for only one handheld computer (column 5, lines 58-59 whereby each user having his own personal computer signifies the one-to-one relationship between the user's handheld and the user's personal computer).

17. As to claim 19, Hawkins teaches a system wherein a central maintenance node is the home maintenance node for all of the handheld computers (column 2, lines 1-3).

18. As to claim 21, Hawkins teaches a system wherein the central maintenance node is connected to the Internet (column 6, lines 1-7 where the network is the Internet).

19. As to claim 22, Hawkins teaches a system wherein the handheld computer is connected to the maintenance node through a high-speed communications interface (column 3, lines 11-21 where the serial line is the high speed communications interface).

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20. As to claim 23, Hawkins teaches a system wherein the handheld computer is connected to the maintenance node through a serial line (column 3, lines 11-21 and Figure 4).

21. As to claim 24, Hawkins teaches a system wherein the serial line is connected to a cradle configured to hold the handheld computer (column 3, lines 11-21 and Figure 4).

22. As to claim 26, Hawkins teaches a system wherein the maintenance manager is configured to synchronize data stored on the handheld computer with data stored on the maintenance database located in the home maintenance node (abstract).

23. As to claim 29, Hawkins teaches a system wherein the maintenance manager is configured to run diagnostics on the handheld computer (column 4, line 43 to column 5, line 22).

24. As to claim 32, Hawkins teaches a computer program product for maintaining handheld computers at a location remote from a home maintenance node containing a maintenance database for at least one of the handheld computer and connected to the remote location through a network (Figure 4), the product comprising:

computer code that creates a communication link between one of the handheld computers and a maintenance node (column 3, lines 25-34 - where the programs are the computer code);



computer code that detects whether the maintenance node is the home maintenance node for the handheld computer (column 5, line 49 to column 6, line 12 – where the software program is the computer code);

computer code that locates the home maintenance node for the handheld computer if the connected maintenance node is not the home maintenance node (column 5, line 49 to column 6, line 12);

computer code that opens a maintenance session between the handheld computer and the home maintenance node (column 5, line 49 to column 6, line 12);

computer code that performs maintenance on the handheld computer (column 5, line 49 to column 6, line 12); and

a computer readable medium that stores said computer codes (column 3, lines 30-31 where the computer readable medium is the portable computer system).

25. As to claim 34, Hawkins teaches a computer product wherein there is a one-to-one relationship between the handheld computers and the maintenance nodes such that each of the maintenance nodes represent the home maintenance node for only one handheld computer (column 5, lines 58-59 whereby each user having his own personal computer signifies the one-to-one relationship between the user's handheld and the user's personal computer).

26. As to claim 35, Hawkins teaches a computer product wherein a central maintenance node is the home maintenance node for all of the handheld computers (column 2, lines 1-3).

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27. As to claim 37, Hawkins teaches a computer product further comprising computer code that performs diagnostics on the handheld computer (column 4, line 43 to column 5, line 22).

*Claim Rejections - 35 USC § 103*

28. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

29. Claims 8 and 25 are rejected under 35 U.S.C 103(a) as being unpatentable over Hawkins, in view of Weschler, U.S Patent No. 6,470,332.

30. As to claim 8, Hawkins does not specifically disclose a method wherein the network is an enterprise network.

31. Weschler teaches that a network can be implemented as an enterprise network to obtain the benefits of being able to distribute application code and data among a variety of data structures, data processor systems, storage devices and physical locations (column 1, lines 16-25). It would have been obvious to one of ordinary skill in the art at the time the

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invention was made to implement Hawkins' network as an enterprise network for the advantages as stated above in the prior art of Weschler.

32. As to claim 25, Hawkins does not specifically disclose a system wherein the network is an enterprise network.

33. Weschler teaches that a network can be implemented as an enterprise network to obtain the benefits of being able to distribute application code and data among a variety of data structures, data processor systems, storage devices and physical locations (column 1, lines 16-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Hawkins' network as an enterprise network for the advantages as stated above in the prior art of Weschler.

34. Claims 9 and 20 are rejected under 35 U.S.C 103(a) as being unpatentable over Hawkins, in view of Lee et al (hereinafter Lee), U.S Patent No. 6,678,727.

35. As to claim 9, Hawkins does not teach a method wherein locating the home maintenance node for the handheld computer comprises connecting to a network coupled to a central maintenance node containing maintenance databases for each of the handheld computers.

36. Lee teaches a method wherein locating the home maintenance node for the handheld computer comprises connecting to a network coupled to a central maintenance node

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containing maintenance databases for each of the handheld computers (Figure 6, column 5, line 60 to column 6, line 3 and column 8, lines 20-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Lee's central maintenance node implementation into Hawkins' method to allow multiple users to connect to their own home systems through a single access point.

37. As to claim 20, Hawkins does not teach a system wherein the central maintenance node is a server.

38. Lee teaches a system wherein the central maintenance node is a server (abstract and Figure 6, item 24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Hawkins' central maintenance node as a server to allow the user customized remote access to the user's home system (column 2, lines 63-67).

39. Claims 12, 13, 27, 28 and 36 are rejected under 35 U.S.C 103(a) as being unpatentable over Hawkins, in view of Tso et al (hereinafter Tso), U.S Patent No. 6,421,733.

40. As to claim 12, Hawkins teaches a method wherein performing maintenance on the handheld computer comprises:

reading data from the handheld computer (column 3, lines 55-60);

storing said data at least temporarily on the computer system (column 3, lines 55-62).

Hawkins does not teach scanning said data for viruses with a virus detection program

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or updating data on the handheld computer based on results of the scanning.

41. Tso discloses a method of scanning data for viruses with a virus detection program and subsequently updating data on the handheld computer based on the results of the scanning (column 9, lines 12-25). It would have been obvious to one of ordinary skill in the art to implement Tso's method of scanning for malicious viruses so the handheld computer is not infected and to install the virus checking program on a computer system (instead of the handheld) so multiple handhelds may be checked simultaneously and using the same updated virus software.

42. As to claim 13, Hawkins does not teach a method further comprising cleaning said data of viruses identified during scanning.

43. Tso discloses cleaning said data of viruses identified during scanning (column 9, lines 15-18 - the use of a virus scanning and checking software to insure that the data is free of viruses).

44. As to claim 27, Hawkins does teach a system wherein the maintenance manager is configured to read data stored on the handheld computer (column 3, lines 55-60), store said data at least temporarily on the maintenance node (column 3, lines 55-62), but does not teach scanning said data for viruses with a virus detection program.

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45. Tso teaches a system of scanning data for viruses with a virus detection program (column 9, lines 12-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Tso's virus checking functionality into Hawkins' system to prevent viruses from proliferating between the handheld and personal computers.

46. As to claim 28, Hawkins does not teach a maintenance manager comprising a data cleaner operable to clean infected data identified by the virus detection program.

47. Tso teaches a system with a maintenance manager comprising a data cleaner operable to clean infected data identified by the virus detection program (column 9, lines 15-18 - the use of a virus scanning and checking software to insure that the data is free of viruses).

48. As to claim 36, Hawkins does not teach a computer product further comprising computer code that reads data stored on the handheld computer and scans the data for viruses.

49. Tso teaches a computer product further comprising computer code that reads data stored on the handheld computer and scans the data for viruses (column 9, lines 12-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include Tso's virus checking functionality into Hawkins' computer product to prevent viruses from proliferating between the handheld and personal computers.

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50. Claims 15, 30 and 38 are rejected under 35 U.S.C 103(a) as being unpatentable over Hawkins as applied to claim 1 above, in view of Wright, Jr. et al (hereinafter Wright), U.S Patent No. 5,857,201.

51. As to claim 15, Hawkins teaches performing maintenance on the handheld computer but not that the maintenance comprises updating software installed on the handheld computer.

52. Wright teaches a method wherein performing maintenance a handheld computer comprises updating software installed on the handheld computer (column 2, lines 15-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented Wright's method of performing maintenance in Hawkins to allow application software on a handheld to be up-to-date with the latest version of the application.

53. As to claim 30, Hawkins teaches a maintenance manager (Figure 4, item 421), but does not one that is configured to update software installed on the handheld computer.

54. Wright teaches performing maintenance a handheld computer comprising updating software installed on the handheld computer (column 2, lines 15-21). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented Wright's system of performing maintenance in Hawkins' maintenance

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manager to allow application software on a handheld to be up-to-date with the latest version of the application.

55. As to claim 38, Hawkins does not teach a product further comprising computer code that identifies software installed on the handheld computer, transfers updated versions of the software from a server connected to the network and updates software installed on the handheld computer.

56. Wright teaches a product further comprising computer code that identifies software installed on the handheld computer, transfers updated versions of the software from a server connected to the network and updates software installed on the handheld computer (column 2, lines 15-21, claims 11 and 12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have implemented Wright's system of performing maintenance in Hawkins' computer product to allow application software on a handheld to be up-to-date with the latest version of the application.

57. Claims 16 and 31 are rejected under 35 U.S.C 103(a) as being unpatentable over Hawkins as applied to claim 1 above, in view of Reardon, U.S Patent No. 6,212,635.

58. As to claim 16, Hawkins teaches performing maintenance on the handheld computer but not that the maintenance comprises deleting unauthorized software from the handheld computer.



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59. Reardon teaches a method of periodically checking and removing unauthorized software and programs from computer systems (column 21, lines 18-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Reardon's security functionality into Hawkins so the personal computer can prevent any unauthorized software from being installed on the handheld computer.

60. As to claim 31, Hawkins teaches a maintenance manager but not one that is configured to delete unauthorized software from the handheld computer.

61. Reardon teaches periodically checking and removing unauthorized software and programs from computer systems (column 21, lines 18-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement Reardon's security functionality into Hawkins' maintenance manager so the personal computer can prevent any unauthorized software from being installed on the handheld computer.

62. Claim 33 is rejected under 35 U.S.C 103(a) as being unpatentable over Hawkins as applied to claim 32 above, in view of Morcom, U.S Patent No. 6,647,499.

63. Hawkins does teach a computer readable medium but does not specifically disclose that the medium is selected from a group consisting of CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, and a data signal embodied in a carrier wave.

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64. Morcom teaches that a computer readable medium for a handheld device can consist of CD-ROM, floppy disk, tape, flash memory, system memory, hard drive, and a data signal in a carrier wave (column 2, lines 25-30 and column 3, lines 46-54).

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art in regards to remote maintenance of handheld devices:

U.S Patent No. 6,324,693 to Broderon et al;

U.S Patent No. 6,457,062 to Pivowar et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is (703)305-8864. The examiner can normally be reached on 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DC

  
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